

Appl. No. 10/714,029
Amdt. dated June 2, 2005
Reply to Office action of March 8, 2005

REMARKS

Reconsideration is respectfully requested. Claims 1-5 are present in the application. Claims 1 and 3 are amended herein. Claim 2 is canceled. New claims 6 and 7 are added.

The Examiner indicated that claim 1 of the referenced application is rejected under 35 U.S.C. §102(b) as being anticipated by Takegawa ('236). The '236 patent discloses the use of a retaining device for a drum stand, the retaining device comprising a top clamping seat and having arms divergently extending out of the top clamping seat and each arm provided with a claw adjustably connected to the arm, a bottom seat adapted to be slidably mounted on the drum stand and having linkages pivotally extending upward to pivotally connect to mediate portions of the arms; and an adjusting ring adapted to be threadingly connected to the drum stand to abut a slide face of the bottom seat to cause the bottom seat to move, whereby movement of the bottom seat is able to initiate movement of the top clamping seat and thus the claws relative to the arms allow the retaining device to clamp drum of different sizes.

However, claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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In order to overcome the anticipation rejection, applicant amends the claims to incorporate features in the original claim 2 into claim 1 whereby the amended claim 1 contains allowable subject matter such that claim 1 and the remaining claims are now in condition for allowance. Also, new claims 6 and 7 are presented, representing original claim 4 rewritten to independent form and original claim 5 which depended on claim 4. These are also therefore allowable. Thus favorable action thereto is earnestly requested.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,



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